

**MINUTES OF THE  
HOUSE JUDICIARY STANDING COMMITTEE**

Friday , February 2, 2018 • 2:00 p.m. • 20 House Building

**Members Present:**

Rep. Michael K. McKell, Chair  
Rep. V. Lowry Snow, Vice Chair  
Rep. Kim F. Coleman  
Rep. Bruce R. Cutler  
Rep. Brian M. Greene  
Rep. Ken Ivory  
Rep. Brian S. King

Rep. Karianne Lisonbee  
Rep. Dixon M. Pitcher  
Rep. Susan Pulsipher  
Rep. Tim Quinn  
Rep. Mark A. Wheatley

**Staff Present:**

Mr. Joseph T. Wade, Policy Analyst  
Mr. Steve Benard, Committee Secretary

Note: A copy of related materials and an audio recording of the meeting can be found at [www.le.utah.gov](http://www.le.utah.gov).

Vice Chair Snow called the meeting to order at 2:06 p.m.

Rep. McKell explained some committee procedural issues.

**MOTION:** Rep. Pulsipher moved to approve the minutes of the Wednesday, January 31, 2018, meeting. The motion passed with a vote of 7 - 0 - 5 .

Yeas-7

Rep. K. Ivory  
Rep. K. Lisonbee  
Rep. M. McKell  
Rep. S. Pulsipher  
Rep. T. Quinn  
Rep. V. Snow  
Rep. M. Wheatley

Nays-0

Absent-5

Rep. K. Coleman  
Rep. B. Cutler  
Rep. B. Greene  
Rep. B. King  
Rep. D. Pitcher

**1 . H.B. 160 Domestic Violence Provisions (*Eliason, S.*)**

Rep. Steve Eliason explained the bill with the assistance of Ms. Heather Woolsey.

Ms. Juanita Strong spoke in favor of the bill.

Ms. Tara Tuey, AT&T, spoke in favor of the bill.

**MOTION:** Rep. Pulsipher moved to report a favorable recommendation on H.B. 160. The motion passed with a vote of 10 - 0 - 2 .

Yeas-10

Rep. K. Coleman  
Rep. B. Cutler  
Rep. B. Greene  
Rep. K. Ivory  
Rep. K. Lisonbee  
Rep. M. McKell  
Rep. S. Pulsipher  
Rep. T. Quinn

Nays-0

Absent-2

Rep. B. King  
Rep. D. Pitcher

Rep. V. Snow  
Rep. M. Wheatley

**2 . H.C.R. 2 Concurrent Resolution Encouraging Congress to Propose an Amendment to the Constitution of the United States (*Eliason, S.*)**

Rep. Steve Eliason explained the bill.

**MOTION:** Rep. Ivory moved to amend H.C.R. 2 with Amendment #1. The motion passed with a vote of 10 - 0 - 2 .

Amendment 1  
H.C.R. 2

1 Page 2, Line 58 through Page 3, Line 61

58 BE IT FURTHER RESOLVED that a copy of this resolution be sent to the President of  
59 the United States Senate, the Speaker of the United States House of Representatives, members  
60 of Utah's congressional delegation, and the state { ~~legislators of the other 50 states~~ } legislatures of each  
state, requesting  
61 their cooperation.

Yeas-10

Rep. K. Coleman  
Rep. B. Cutler  
Rep. B. Greene  
Rep. K. Ivory  
Rep. K. Lisonbee  
Rep. M. McKell  
Rep. S. Pulsipher  
Rep. T. Quinn  
Rep. V. Snow  
Rep. M. Wheatley

Nays-0

Absent-2

Rep. B. King  
Rep. D. Pitcher

**MOTION:** Rep. Ivory moved to report a favorable recommendation on H.C.R. 2, as amended. The motion passed with a vote of 10 - 0 - 2 .

Yeas-10

Rep. K. Coleman  
Rep. B. Cutler  
Rep. B. Greene  
Rep. K. Ivory  
Rep. K. Lisonbee

Nays-0

Absent-2

Rep. B. King  
Rep. D. Pitcher

Rep. M. McKell  
Rep. S. Pulsipher  
Rep. T. Quinn  
Rep. V. Snow  
Rep. M. Wheatley

**3 . H.B. 62 Property Rights Amendments (Quinn, T.)**

Rep. Tim Quinn requested to present his bill later in the meeting.

**4 . H.B. 79 Private Attorney General Doctrine (Greene, B.)**

Rep. Brian M. Greene explained the bill.

Chair McKell assumed the chair.

Mr. Karson Eilers, Utah League of Cities and Towns, spoke against the bill.

Mr. Robert Sherlock, law firm of Eisenberg, Gilchrist & Cutt, spoke in favor of the bill.

Ms. Jami Brackin, County and District Attorneys' Association and Summit County Deputy Attorney, spoke against the bill.

Mr. Connor Boyack, Libertas Institute, spoke in favor of the bill.

**MOTION:** Rep. Ivory moved to report a favorable recommendation on H.B. 79. The motion passed with a vote of 12 - 0 - 0 .

Yeas-12

Nays-0

Absent-0

Rep. K. Coleman  
Rep. B. Cutler  
Rep. B. Greene  
Rep. K. Ivory  
Rep. B. King  
Rep. K. Lisonbee  
Rep. M. McKell  
Rep. D. Pitcher  
Rep. S. Pulsipher  
Rep. T. Quinn  
Rep. V. Snow

Rep. M. Wheatley

**5 . H.B. 62 Property Rights Amendments (*Quinn, T.*)**

Vice Chair Snow assumed the chair.

Rep. Tim Quinn explained H.B. 62 with the assistance of Mr. Robert Mansfield.

**MOTION:** Rep. Quinn moved to replace H.B. 62 with 1st Substitute H.B. 62. The motion passed with a vote of 12 - 0 - 0 .

Yeas-12

Nays-0

Absent-0

Rep. K. Coleman  
Rep. B. Cutler  
Rep. B. Greene  
Rep. K. Ivory  
Rep. B. King  
Rep. K. Lisonbee  
Rep. M. McKell  
Rep. D. Pitcher  
Rep. S. Pulsipher  
Rep. T. Quinn  
Rep. V. Snow  
Rep. M. Wheatley

**MOTION:** Rep. King moved to report a favorable recommendation on 1st Substitute H.B. 62. The motion passed with a vote of 12 - 0 - 0 .

Yeas-12

Nays-0

Absent-0

Rep. K. Coleman  
Rep. B. Cutler  
Rep. B. Greene  
Rep. K. Ivory  
Rep. B. King  
Rep. K. Lisonbee  
Rep. M. McKell  
Rep. D. Pitcher  
Rep. S. Pulsipher  
Rep. T. Quinn  
Rep. V. Snow

Rep. M. Wheatley

**6 . H.B. 198 Attorney General Responsibility Amendments (*Nelson, M.*)**

Rep. Merrill F. Nelson explained the bill.

Mr. Brent Johnson, General Counsel, Administrative Office of the Courts, spoke to the bill.

Mr. Dan Burton, Office of the Utah Attorney General, spoke to the bill.

**MOTION:** Rep. King moved to replace H.B. 198 with 1st Substitute H.B. 198. The motion passed with a vote of 10 - 0 - 2 .

Yeas-10

Rep. K. Coleman  
Rep. B. Cutler  
Rep. B. Greene  
Rep. K. Ivory  
Rep. B. King  
Rep. K. Lisonbee  
Rep. M. McKell  
Rep. S. Pulsipher  
Rep. T. Quinn  
Rep. V. Snow

Nays-0

Absent-2

Rep. D. Pitcher  
Rep. M. Wheatley

**MOTION:** Rep. King moved to report a favorable recommendation on 1st Substitute H.B. 198. The motion passed with a vote of 10 - 0 - 2 .

Yeas-10

Rep. K. Coleman  
Rep. B. Cutler  
Rep. B. Greene  
Rep. K. Ivory  
Rep. B. King  
Rep. K. Lisonbee  
Rep. M. McKell  
Rep. S. Pulsipher  
Rep. T. Quinn  
Rep. V. Snow

Nays-0

Absent-2

Rep. D. Pitcher  
Rep. M. Wheatley

**MOTION:** Chair McKell moved to adjourn. The motion passed with a vote of 10 - 0 - 2 .

Yeas-10

Rep. K. Coleman  
Rep. B. Cutler  
Rep. B. Greene  
Rep. K. Ivory  
Rep. B. King  
Rep. K. Lisonbee  
Rep. M. McKell  
Rep. S. Pulsipher  
Rep. T. Quinn  
Rep. V. Snow

Nays-0

Absent-2

Rep. D. Pitcher  
Rep. M. Wheatley

Vice Chair Snow adjourned the meeting at 4:00 p.m.